



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

J.N

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/965,844	11/07/97	ARAI	Y 0557-4223-2-

022850 LM31/0119
OBLON/SPIVAK MCCLELLAND MAIER & NUESTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON VA 22202

EXAMINER

VLLK
ART UNIT PAPER NUMBER
2722 8

DATE MAILED: 01/19/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on Response 8/4/99
- ☒ This action is **FINAL**.

- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-46 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-2, 6, 11-12, 16, 21-28, 29-33, 37, 42-46 is/are rejected.
- ☒ Claim(s) 3-5, 7-10, 13-15, 17-20, 34-36, 38-41 is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 2722

DETAILED ACTION

1. The applicant's response received on 08/04/99 have been fully considered by the examiner. The pending claims are 1-46.

The applicant discussed that the disclosure in Yukino, column 11, lines 35-43, does not teach the printing out data at the printer at a destination machine, but directs to transmission data to be transmitted to a destination facsimile machine. It is believe that the facsimile system in Yukino does have the ability to include it own printer for outputting the receiving data, column 6, lines 35-47.

The applicant further stated that in the present invention as recited in the claims, the facsimile includes it own printer, it own printer interface, and a data supply control which controls the printer interface to supply the recording data to the printer at predetermined printing intervals. It is reminded the applicant that the claimed data supply controller is recited in the claims as "coupled to said interface and said printer portion, supplying the recording data from said interface to said printing portion at predetermined printing intervals." It is clear that the data supply controller solely supplies recording data at predetermined intervals. Yukino illustrates an emulation of a serial dot printer in figure 9 for printing the recording data as line by line (column 11, line 44 to column 12, line 11). Upon completion of the emulation of an operation of printing one line, the top address of a line to be printed in the recording paper is moved down by one line. Thus, the recording data of one line are supplied to the printer at a time. Evidently, it takes the printer an amount of printing time to print the

Art Unit: 2722

recording data. After completing recording this line, the printing position is moved to a next line for ready to print the recording data of the next line at another printing time. Thus, the recording data are supplied to the printer after each printing time, i.e., predetermined printing interval.

The applicant recited that no subject matter disclosed in Figure 9 of Yukino corresponds in any way to printing information output from the printer interface 50 to a printer. The examiner totally disagrees with the applicant because 1) Yukino discloses in column 11, line 44 as "Figure 9 illustrates emulation of a serial dot printer," 2) Figure 1 in Yukino shows a printer interface 50, a ROM 56 for storing a program for printer emulation processing and a ROM 54 which serves as a character font storing means for storing predetermined character fonts. ROMs 54, 56 are elements of a printer, and 3) Yukino discloses in column 6, lines 44+, a printer interface 50 is provided in the facsimile system in order that the facsimile system receives painting data outputted to a printer. The ROM 56 is formed as a cartridge and is used for emulating a printing operation of the printer and outputting the image of document information. Thus, it is clear that the printer interface 50 in Yukino is coupled to a printer to supply recording data to the printer at predetermined printing intervals.

Therefore, claims 1-2, 11-12, 21-23, 25-28, 30-33, 42-43, 45-46 maintain the rejection under 35 U.S.C. 103(a) as being unpatentable over Yukino 5,268,770. See paragraph no. 2 in the Office action mailed on 05/18/99. Claims 6, 16, 37 are rejected under 35 U.S.C. 103(a)

Art Unit: 2722

as being unpatentable over Yukino 5,268,770 in view of Ohmura et al 5,815,280. See paragraph no. 3 in the Office action mailed on 05/18/99. Claims 24, 29, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yukino 5,268,770 in view of Nakagawa 5,819,009. See paragraph no. 4 in the Office action mailed on 05/18/99.

2. Claims 3-5, 7-10, 13-15, 17-20, 34-36, 38-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

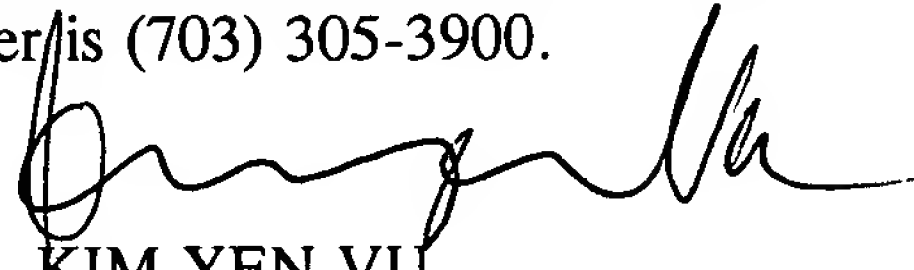
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Yen Vu whose telephone number is (703) 305-4393. The Group facsimile phone number is (703) 308-9051 (for formal communications intended for entry) or (703) 308-9589 (for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

Application/Control Number: 08/965,844

Page 5

Art Unit: 2722

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



KIM YEN VU
PRIMARY EXAMINER
ART UNIT 2722
January 03, 2000